## EXAMINER'S AMENDMENT

1.      An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Shun Yao on 11/29/07.

Referring to line 18 of claim 5, delete "similar to operations"

Referring to line 9 of claim 14, deleted "locked up/hung" and replace with "locked up or hung state"

*MJ̃ 01/13/08*

Referring to line 18 of claim 19, delete "similar to operations"

Referring to claim 23 lines 1 to 7 delete "23 (original) The apparatus of claim 15, wherein each remote node includes a number of queues, each of which is associated with a logical entity and stores upstream data from the device or user associated with that logical entity 24. The apparatus of claim 23, wherein the request from a remote node reports the state of a queue within that remote node associated with a logical entity; and wherein the request piggybacks on an upstream data transmission.

Replace with

"23.     (original) The apparatus of claim 15, wherein each remote node includes a number of queues, each of which is associated with a logical entity and stores upstream data from the device or user associated with that logical entity

24.     (original) The apparatus of claim 23, wherein the request from a remote node reports the state of a queue within that remote node associated with a logical entity; and wherein the request piggybacks on an upstream data transmission."

Referring to line 10 of claim 28, deleted "locked up/hung" and replace with "locked up or hung state"